

**NEWPORT BEACH ZONING ADMINISTRATOR AGENDA**  
**Council Chambers – 3300 Newport Boulevard**  
**Wednesday, December 14, 2011**  
**REGULAR HEARING**  
**3:30 p.m.**

1. **CALL TO ORDER** – The meeting was called to order at 3:30 p.m.

Staff Present: Brenda Wisneski, Zoning Administrator  
Kay Sims, Assistant Planner

2. **MINUTES OF APPROVAL** - None

3. **PUBLIC HEARING ITEMS**

**ITEM NO. 1** Pandor Bakery Minor Use Permit No. UP2011-031 (PA2011-186)  
1126 Irvine Avenue

CD #3

Kay Sims, Assistant Planner gave a brief overview of the item, which is a Minor Use Permit to convert a currently vacant retail space within the Westcliff Plaza Shopping Center to a food service, eating and drinking establishment that will provide seating for a maximum of 30 customers. The hours of operation between 7:00 a.m. and 11:00 p.m., daily.

In her overview of the project, Assistant Planner Sims reviewed the key facts which support the required findings and staff's recommendation of approval of the project. She stated that the use is allowed in the Commercial Neighborhood Zoning District by right. In this case, a minor use permit is required by the Zoning Code because the location is within 500 hundred feet of a residentially zoned district. The project has been conditioned to limit any negative impacts to the neighboring residential area; the use is compatible with other uses within the shopping center, and adequate parking is available within the shopping center to accommodate the proposed use.

Zoning Administrator, Brenda Wisneski opened the public comments. Mr. Anthony Eckleberry, Architect for the project stated that he understood and accepted all of the conditions of approval on behalf of the applicant.

Mr. Jim Mosher stated that he did not object to the project, but questioned the hours of operation for the bakery. Mr. Eckleberry stated that since the project was primarily a "retail" bakery, there would be no baking on site and the entire operation would close at 11:00 p.m. Mr. Mosher also asked if Condition of Approval No. 2 was a standard condition. The Zoning Administrator explained that it was.

Mr. Mosher also mentioned that there seemed to be a conflict with the noticing requirements, which require that residents within 300 feet of the project must be notified, but the project requires a minor use permit because it is located within 500 feet of a residential area. He also noted that review of a cell site does not require noticing.

Zoning Administrator Wisneski stated that she agree with the facts of finding stated in the draft resolution and approved the proposed project

**Action:** Approved

4. **PUBLIC COMMENTS ON NON-AGENDA ITEMS:**

Comment made by Jim Mosher that the subject public hearing was something that was noncontroversial, when no public hearing is required for a cell site to be installed within two feet of a residential property.

**ADJOURNMENT** – The hearing was adjourned at 3:48 p.m.